

ORDINANCE NO. 639

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIAL PERMIT FOR PRIVATE CLUB AND COMMUNITY BUILDING ON THE FOLLOWING DESCRIBED TRACT OF LAND: BEING A TRACT OF LAND SITUATED IN THE SAMUEL P. BROWN SURVEY, ABSTRACT NO. 164, CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS AND BEING OUT OF A 105.561 ACRE TRACT CONVEYED TO VALLEY VIEW DEVELOPMENT CORPORATION BY CATHERINE C. FISHER, ET AL BY DEED DATED JUNE 27, 1961, RECORDED IN VOLUME 5577, PAGE 3, DALLAS COUNTY DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE NORTHERLY LINE OF I. H. 635, SAID POINT BEING IN THE EASTERLY LINE OF ROSSER ROAD (A 60 FT. R.O.W.), A POINT FOR CORNER; THENCE N. 26°54' W., WITH THE EASTERLY LINE OF ROSSER ROAD 12.99 FT. TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 453.95 FT. AND A CENTRAL ANGLE OF 11°47'50", A POINT FOR CORNER; THENCE IN A NORTHERLY DIRECTION WITH THE EASTERLY LINE OF ROSSER ROAD AND AROUND SAID CURVE, 93.47 FT. TO THE END OF SAID CURVE, A POINT FOR CORNER; SAID POINT BEING THE BEGINNING OF A SECOND CURVE, SAID SECOND CURVE BEING TO THE LEFT HAVING A RADIUS OF 485.33 FT. AND A CENTRAL ANGLE OF 9°15'; THENCE IN A NORTHERLY DIRECTION WITH THE EASTERLY LINE OF ROSSER ROAD AND AROUND SAID CURVE, 78.35 FT. TO THE END OF SAID CURVE, A POINT FOR CORNER; THENCE N. 65°39' E., 264.21 FT. TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 125.0 FT., A CENTRAL ANGLE OF 62°50'04" AND A TANGENT BEARING OF S. 54°02'56" E., A POINT FOR CORNER; THENCE IN A SOUTHEASTERLY AND EASTERLY DIRECTION AND AROUND SAID CURVE, 137.08 FT. TO THE END OF SAID CURVE, A POINT FOR CORNER; THENCE N. 63°07' E., 102.14 FT. TO A POINT FOR CORNER; THENCE S. 26°53' E., 145.0 FT. TO A POINT IN THE NORTHERLY LINE OF THE AFOREMENTIONED I. H. 635, A POINT FOR CORNER; THENCE S. 63°07' W., WITH THE NORTHERLY LINE OF I. H. 635, 176.70 FT. TO A POINT FOR CORNER; THENCE S. 70°26' W., AND CONTINUING ALONG

THE NORTHERLY LINE OF I. H. 635, 322.55 FT. TO THE PLACE OF BEGINNING AND CONTAINING 2.00 ACRES OF LAND; THAT SUCH PROPERTY IS TO BE USED FOR A PRIVATE CLUB AND COMMUNITY BUILDING UNDER A SPECIAL PERMIT, SUBJECT, HOWEVER, TO SPECIAL CONDITIONS HEREINAFTER MORE FULLY DESCRIBED; THAT THE PROPERTY SHALL BE IMPROVED ACCORDING TO SITE PLAN TO BE APPROVED BY THE CITY PLANNING COMMISSION AND CITY COUNCIL, AND SUBJECT TO CONDITIONS CONTAINED HEREIN; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the charter of the City of Farmers Branch and the State law with reference to the granting of special permits under zoning ordinance regulations, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said special permit should be granted, subject to the conditions set out herein:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended by amending the zoning map of the City of Farmers Branch so as to grant a special permit for a private club and community building on the following described property which is presently zoned R-2.5, Single Family Residential District, said special permit for private club and community building to be subject to the special conditions contained herein. That the property to be

covered by such special permit for private club and community building is described as follows, to-wit:

BEING a tract of land situated in the Samuel P. Brown Survey, Abstract No. 164, City of Farmers Branch, Dallas County, Texas and being out of a 106.561 acre tract conveyed to Valley View Development Corporation by Catherine C. Fisher, et al by deed dated June 27, 1961, recorded in Volume 5577, Page 3, Dallas County Deed Records, and being more particularly described as follows:

BEGINNING at a point in the northerly line of I. H. 635, said point being in the easterly line of Rosser Road (a 60 ft. R.O.W.), a point for corner;

THENCE N. 26°54' W., with the easterly line of Rosser Road 12.99 ft. to the beginning of a curve to the right having a radius of 453.95 ft. and a central angle of 11°47'50", a point for corner;

THENCE in a northerly direction with the easterly line of Rosser Road and around said curve, 93.47 ft. to the end of said curve, a point for corner; said point being the beginning of a second curve, said second curve being to the left having a radius of 485.33 ft. and a central angle of 9°15';

THENCE in a northerly direction with the easterly line of Rosser Road and around said curve, 78.35 ft. to the end of said curve, a point for corner;

THENCE N. 65°39' E., 264.21 ft. to the beginning of a curve to the left having a radius of 125.0 ft., a central angle of 62°50'04" and a tangent bearing of S. 54°02'56" E., a point for corner;

THENCE in a southeasterly and easterly direction and around said curve, 137.08 ft. to the end of said curve, a point for corner;

THENCE N. 63°07' E., 102.14 ft. to a point for corner;

THENCE S. 26°53' E., 145.0 ft. to a point in the northerly line of the aforementioned I. H. 635, a point for corner;

THENCE S. 63°07' W., with the northerly line of I. H. 635, 176.70 ft. to a point for corner;

THENCE S. 70°26' W., and continuing along the northerly line of I. H. 635, 322.55 ft. to the place of beginning and containing 2.00 acres of land.

SECTION 2. That the special permit with reference to the hereinabove described property is granted upon the following express conditions, and in accordance with Article XIV of the Comprehensive Zoning Ordinance, to-wit:

(a) That a site plan shall be approved by the City Planning and Zoning Commission and the City Council prior

to the issuance of building permits.

(b) That no building line setback shall be required adjacent to Interstate Highway 635, and that all other setbacks shall conform to the requirements of the "R-2.5" Residential Zoning District.

(c) That all ingress and egress to the property shall be approved by the City Planning and Zoning Commission.

(d) That offstreet parking shall be provided at a minimum ratio of 1 space for each 100 square feet of floor area in the community building, but not less than 30 offstreet parking spaces shall be provided.

(e) That one sign not exceeding ten (10) square feet shall be permitted.

(f) That the City of Farmers Branch shall be made a party to deed restrictions to be filed with the County Clerk of Dallas County relating to the private club and community building, and such deed restrictions may not be amended without first obtaining prior written consent from the City of Farmers Branch.

(g) That prior to the issuance of a building permit for private club and community building, the owner of the property shall furnish to the City of Farmers Branch a contract, deed or other written instrument satisfactory to the City of Farmers Branch, providing that in the event the owner of such property, its successors or assigns, should cease to use said premises for private club and community building purposes for a period of six (6) months, title to said property would revert to and vest in the City of Farmers Branch, which said land would then be owned by the City of Farmers Branch in fee simple title. Said instrument would further provide that nonuse of such premises for private club and community building purposes for a period of six (6) months shall be conclusive evidence of the abandonment of the use of such premises for such purposes, causing

said title to automatically vest in said City of Farmers Branch.

SECTION 3. That the site plan, when approved by the City Planning and Zoning Commission and City Council, shall become a part of this ordinance for all purposes. A true copy of the site plan shall be retained in the office of the City Secretary and in the office of the City Manager for observance in connection with these improvements. That all paved areas, permanent drives, streets and drainage structures, if any, shall be constructed in accordance with standard City of Farmers Branch specifications adopted for such purpose.

SECTION 4. That all ordinances of the City of Farmers Branch in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other provisions of the ordinances of the City of Farmers Branch not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. That the above described tract of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended and as amended herein, by the granting of this special permit.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

SECTION 7. Whereas, it appears that the above described property requires that it be given the above zoning classification in order to permit its proper development, and in order to protect the public interest, comfort and general welfare of the City of Farmers Branch, and creates an urgency and an emergency for the preservation of the public health, safety and welfare,

and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, as the law in such cases provides.

DULY PASSED by the City Council of the City of Farmers Branch, Texas, on this the 7 day of November, 1966.

APPROVED:


MAYOR

DULY RECORDED:


CITY SECRETARY

APPROVED AS TO FORM:


ATTORNEY